1/17/07 9:24:59
BK 549 PG 61
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

AMERICAN PUBLIC FINANCE, INC.

PLAINTIFF

· VS.

CASE NO.

06-01-0127

MARY JONES AND
MISSISSIPPI ATTORNEY GENERAL
AND DESOTO COUNTY MISSISSIPPI
AND DESOTO COUNTY DISTRICT ATTORNEY

DEFENDANTS

JUDGMENT CONFIRMING AND QUIETING TITLE AND CONFIRMING TAX SALE

THIS DAY this cause came on to be heard on the Complaint filed herein by American Public Finance, Inc. seeking to confirm title to certain real property in their name, quieting all title issues, and confirming the tax sale all filed against Mary Jones, Mississippi Attorney General, Desoto County, Mississippi, and Desoto County District Attorney, and the Court having considered the Complaint, Application of Default and Entry of Default, and the affidavit in support thereof and other evidence and finding that it has full and complete jurisdiction of the parties and the subject matter, further finds as follows:

- 1. That Defendant Mary Jones, last known whereabouts were 590 Lauderdale, Apt. D, Memphis, TN 38216. That upon attempting service of process via certified mail, it was returned undelivered and unknown. Thereafter diligent search and inquiries were made by Plaintiff to locate the Defendant and after a due diligent inquiry such was never discovered. Thereafter the parties were properly served via publication in the Desoto Times Today on April 27, 2006. That the Defendant has not answered or moved or otherwise appeared in this action since she was served with process; that Entry of Default has been entered against the Defendant and the Defendant has not answered or moved or otherwise appeared in this action since said Entry of Default; and that Defendant is not an infant or incompetent person.
- 2. That the Mississippi State Attorney General was made a party to this action pursuant to § 11-17-19 of the Mississippi Code of 1972 Ann. and was made a party hereto

Perilloux of Assoc. 48 lakeland East Dr. Ste A Jackson Ms 39232 JAN 0 5 2007 W E DAVIS, CLERK

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only as a nominal defendant. He has filed an answer in this action denying any interest in the property and as such he shall be deemed as having none.

- That the Desoto County District Attorney was made a party to this action pursuant to § 11-17-19 of the Mississippi Code of 1972 Ann. and was made a party hereto only as a nominal defendant. That he was properly served with process on April 26, 2006, and has filed no answer or appearance thus a default was properly entered. As such he shall be deemed as having no interest in the subject property.
- 4. That the Desoto County through the Desoto County Chancery Clerk was made a party to this action pursuant to § 11-17-19 of the Mississippi Code of 1972 Ann. and was made a party hereto only as a nominal defendant. That she has filed an answer in this matter; however, an Agreed Order was signed on June 2, 2006, acknowledging no interest in said property in question by Desoto County and releasing Desoto County as a defendant to this cause of action.
- 5. That all other persons who may have interest in the property were served via publication on April 27, 2006, in the Desoto Times Today. Since they were served with process, that Entry of Default has been entered against the Defendants and the Defendants have not answered or moved or otherwise appeared in this action since said Entry of Default; and that Defendants are not infants or incompetent persons, thus any claims including any judgments against the previous title holders that filed of record shall be deemed as having no interest in the subject property.
- 6. That Defendant Mary Jones was the previous owner of the following described property lying and being situated in the Desoto County, Mississippi and being more particularly described as follows:

PT SW 1/4 SW 1/4 4.00 ACRES. S/T/R: 20/1/7 Parcel No. 1074-2000.0-00042.00

7. That Plaintiff obtained said property by virtue of a Warranty Deed from Mississippi Realty Tax Financing Co., LLC, in Book 439 at Page 747 on March 14, 2003, who

obtained title by virtue of a Quitclaim Deed from U.S. Public Finance, a Delaware Corporation, as successor trustee for Advantage 99B, a Delaware Trust A/K/A Advantage 99B in Book 410 at Page 147 on January 30, 2002, who obtained title by virtue of a certain Tax Deed from the Chancery Clerk of Desoto County, Mississippi, filed for record in the office of the Chancery Clerk of Desoto County, Mississippi at Book 0400 Page 0147 on September 27, 2001. A true and correct copy of the Warranty Deed, Quitclaim Deed, and Tax Deed are incorporate herein as Exhibit A, B, and C respectively.

- 8. That this sale was for taxes for the year 1998 which were not paid by the previous title holders. Said sale was certified to the Chancery Clerk in the manner and within the time required by law. The tax sale remained on file in the office of the Chancery Clerk for the redemption period and the Chancery Clerk gave all notice required by law. After the time for redemption had expired, the Chancery Clerk made and properly delivered the aforementioned Tax Deed.
- 9. That the aforementioned tax sale was conducted in a proper manner and as such, it should be confirmed with this judgment being spread across the land records of Desoto County, Mississippi confirming title in Plaintiff and fully divesting such from the Defendant and quieting any title issues that remain with this order being spread across the Chancery Clerk land records.
- 10. That it can not be determined what if any liens the United States of America may maintain against the subject property in relation to the previous title holder. As such, this confirmation is subject to any and all claims for which they may have against the property.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

- 1. That jurisdiction and venue are proper before this Court.
- 2. That Defendant Mary Jones, last known whereabouts were 590 Lauderdale, Apt. D,

Memphis, TN 38216. That upon attempting service of process via certified mail, it was returned undelivered and unknown. Thereafter diligent search and inquiries were made by Plaintiff to locate the Defendant and after a due diligent inquiry such was never discovered. Thereafter the parties were properly served via publication in the Desoto Times Today on April 27, 2006. That the Defendant has not answered or moved or otherwise appeared in this action since she was served with process; that Entry of Default has been entered against the Defendant and the Defendant has not answered or moved or otherwise appeared in this action since said Entry of Default; and that Defendant is not an infant or incompetent person.

- 3. That the Mississippi State Attorney General was made a party to this action pursuant to § 11-17-19 of the Mississippi Code of 1972 Ann. and was made a party hereto only as a nominal defendant. He has filed an answer in this action denying any interest in the property and as such he shall be deemed as having none.
- 4. That the Desoto County District Attorney was made a party to this action pursuant to § 11-17-19 of the Mississippi Code of 1972 Ann. and was made a party hereto only as a nominal defendant. That he was properly served with process on April 26, 2006, and has filed no answer or appearance thus a default was properly entered. As such he shall be deemed as having no interest in the subject property.
- 5. That the Desoto County through the Desoto County Chancery Clerk was made a party to this action pursuant to § 11-17-19 of the Mississippi Code of 1972 Ann. and was made a party hereto only as a nominal defendant. That she has filed an answer in this matter; however, an Agreed Order was signed on June 2, 2006, acknowledging no interest in said property in question by Desoto County and releasing Desoto County as a defendant to this cause of action. A copy of such order is hereby incorporated as referenced.
- 6. That all other persons who may have interest in the property were served via

publication on April 27, 2006, in the Desoto Times Today. Since they were served with process, that Entry of Default has been entered against the Defendants and the Defendants have not answered or moved or otherwise appeared in this action since said Entry of Default; and that Defendants are not infants or incompetent persons, thus any claims including any judgments against the previous title holders that filed of record shall be deemed at having no interest in the subject property.

7. That Defendant Mary Jones was the previous owner of the following described property lying and being situated in the Desoto County, Mississippi and being more particularly described as follows:

PT SW 1/4 SW 1/4 4.00 ACRES. S/T/R: 20/1/7 Parcel No. 1074-2000.0-00042.00

- 8. That Plaintiff obtained said property by virtue of a Warranty Deed from Mississippi Realty Tax Financing Co., LLC, in Book 439 at Page 747 on March 14, 2003, who obtained title by virtue of a Quitclaim Deed from U.S. Public Finance, a Delaware Corporation, as successor trustee for Advantage 99B, a Delaware Trust A/K/A Advantage 99B in Book 410 at Page 147 on January 30, 2002, who obtained title by virtue of a certain Tax Deed from the Chancery Clerk of Desoto County, Mississippi, filed for record in the office of the Chancery Clerk of Desoto County, Mississippi at Book 0400 Page 0147 on September 27, 2001. A true and correct copy of the Warranty Deed, Quitclaim Deed, and Tax Deed are incorporate herein as Exhibit A, B, and C respectively.
- 9. That this sale was for taxes for the year 1998 which were not paid by the previous title holders. Said sale was certified to the Chancery Clerk in the manner and within the time required by law. The tax sale remained on file in the office of the Chancery Clerk for the redemption period and the Chancery Clerk gave all notice required by law. After the time for redemption had expired, the Chancery Clerk made and properly delivered the aforementioned Tax Deed.

- That the aforementioned tax sale was conducted in a proper manner and as such, it 10. should be confirmed with this judgment being spread across the land records of Desoto County, Mississippi confirming title in Plaintiff and fully divesting such from the Defendant and quieting any title issues that remain with this order being spread across the Chancery Clerk land records.
- That it can not be determined what if any liens the United States of America may 11. maintain against the subject property in relation to the previous title holder. As such, this confirmation is subject to any and all claims for which they may have against the property.

Prepared and Submitted by:

James Adred Renfroe MSB 10096

648 Lakeland East Ste)A Flowood, MS 39232 601.932.1011

Attorney for Plaintiff

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PANOLA TITLE JAY JOH

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GRANTOR: Mississippi Realty Tax Financing Co., LLC

6624298161

GRANTRE: American Public Plannes, Incorporated

WARRANTY DEED

STATE OF MISSISSIPPI COUNTY OF DESOTO

FOR AND IN CONSIDERATION OF THE SUM OF ten dollars (\$19.00), cash in head paid, and other good and valuable consideration, due receipt and sufficiency of all of which is hereby acknowledged, the undersigned, hiterhetept Realty Tax Flanning Co., LLC, hereinafter referred to as Granter, does hereby convey, assign and warrant unto American Public Flanner, Incorporated, hereinafter referred to as Grantee, all of its right, title and interest in that certain pascel situated in Desca County. Mesissippi, so wit:

S/T/R: 20-1-7 PT SW 1/4 SW 1/8 4 ACRES PARCEL NO. 1074-2000,0-0042.00

The short warranty and this conveyance is usedo subject to any and all reservations, tratrictions, estamonts, exceptions, conveyants and conditions of record, including mineral, oil or gas taxervations and any covenants and/or restrictions of record, any and all Power Line Ensements, or other Essements or Rights of Way of special

If bounded by water, the wateranty granted intrain shall not extend to any part of the above described property which is tideland or country wellands as defined in the Mississippi Country Wellands Protection Act and this conveyance includes any natural securities and is subject to any crosson due to the scion of the elements.

[THE SPACE BELOW THE LINE HAS BEEN LEFT BLANK [NTENTIONALLY]

STATE HS .- LESOTO CO. SC

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PANDLA TITLE JAY JOH

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Witness our aignature, this the 12th day of March, 2003.

6624298161

Mississippi Realty Tax Financing Co., LLC By:
T Mitchell Kalom, Managing Director

STATE OF MISSISSIPPI COUNTY OF HARRISON

PERSONALLY APPBARED BEFORE ME, the undersigned authority is and for the said county and sente, an this the John day of Maria, 20 22, within my jurisdiction, the within named, T. Mitchell Kalom, who acknowledged that is Managing Director of Mississippi Rashty Tax Financing Co., LLC, and that for and on behalf of the said Mississippi Limited Lisbility Corporation, and as its act and dead he executed and delivered the above and foregoing learnment, after first having been authorized to to do.

1. ()

See U.S (28) 436 (U) A. Prioted Name and Phone and Phone and Phone and Arm Code

OBRIEN LAW FIRM-

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PANOLA TITLE JAY JOH

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Grantur Missimippi Rosity Tax Financing Co., LLC P. O. Box 527 Biloxi, MS 39533 (228) 436-0026 Institut Property Reference # 2617

6624298161

Granten's Address: American Public Finance, Incorporated Post Office Box 527 Bilani, MS 19533 (218) 436-0026

TITLE NOT EXAMINED - NO SURVEY PROVIDED INDEXING INSTRUCTIONS

S/T/R: 20-1-7 pt gw 1/4 sw 1/4 4 sicres		
		•

This Document Prepared By: Mississippt Realty Tax Pinancing Co., LLC, Post Office Drawer 527, Elloni, MS 39533-0527, [228] 436-0026, E-mail: info@americanpublimealty.com

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PANOLA TITLE JAY JOH

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GRANTOR: U.S. PUBLIC YINANCE, A DELAWARE CORPORATION, AS SUCCESSOR TRUSTES FOR ADVANTAGE 998, A DELAWARE TRUST A/K/A ADVANTAGE 998 GRANTER: Mississippi Rosity Tax Pinanoing Company, ULC

QUITCLAIM DEED

STATE OF MISSISSIPPL COUNTY OF DESOTO

FOR AND IN CONSIDERATION OF THE SUM OF ten delian (\$10.00), and in head jield, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned, U.S. PUBLIC FINANCE, A DELAWARE CORPORATION, AS SUCCESSOR TRUSTEE FOR AUVANTAGE 99B, A DELAWARE TRUST ANA ADVANTAGE 99B, hereinafter referred to as Grance, does hereby convey, easign and quitaleirn tento Mississippi Realty Tax Financing Company, LLC, hereinafter referred to as Grance, all of the right, title and interest in that certain parcel a(tuesed in Desoto County Mississippi, to with

FT 9W 1/4 9W 1/4-4.00 ACRES, 3/T/R: 20/1/7 PARCEL NO. 1074-2000.G-00042.00

The purpose of this conveyance is to quitalein "is is", "where is" any interest Orantor may hold in the above described property by victure of a Desoio County and valorem 1998 has sale maturity to U.S. PUBLIC FINANCE, A DELAWARE CORPORATION, AS SUCCESSOR TRUSTEE FOR ADVANTAGE 99B, A DELAWARE TRUST ARCIA ADVANTAGE 99B to Book 400, Page 147. In no way shall this instrument be constructed at to convey or cover may rights of Grantor arizing out of tex sales subsequent to 8/30/1999. Pershermore, Grantee herein assumes responsibility for any and all city and/or county property taxes due for has years 1999, 2000 and 2001, as well as for any either taxes and/or assequences and/or lines which are due or may become due on the above described parcel.

This Quitefalm Deed and Assignment is made subject to any outstanding property essessments, back or surrent unpaid property taxes, lions, its pendens, encumbrances, pending littagation and/or suits, deficiencies of any kind, other clouds of title, and/or other items existing, whether or not filed of record. Furthermore, and/or other liams existing, whether or not filed of record. Furthermore, and Quitefalm is made subject to any and all valid and outstanding oil, gas, and mineral lesses, exceptions, easuments, reservations, conveyances, all power line essements, and/or other exception of the Office of the Chancery Clerk of the aftermention and seath events.

The Grance has thereughly impacted, exemined and accepts the parcel, and it's title, along with any existing situatures, improvements, and apparenances thereumo belonging, if any, and it purchasing same in "as is," "where is," condition, without any warranty whosevers. In addition, Grance understands that Oranios, its agents, successors and/or easigns, have not made any representations or watersolies, either expressed or implied, regarding this parcel. Furthermore, Grantes understands that it is purchasing said percel based on Grance's sole judgment and diligent inquiry.

It is understood and agreed by the Grantes that this is an "as is," "where is," quimiain anniversance by Grantes. Granter does not lo any way warrant title. Granter makes no representation, warrants, or earlification to the Grantee, of any kind, regarding ewacethis motor possession of, or title to, and/or suitability or fluxest of the above described percel. By acceptance of this deed, as evidenced by its recording. Grantee affirms and accepts, without reservations, the content of this document and expressly agrees to indomnify and hold Grantee, its agents, successors and/or assigns harmless from any and oil claims, (whether made by the Grantee, its agents, successors, acceptance are granteed parcel, my deficiency as to

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OBRIEN LAW FIRM-

PANOLA TITLE JAY JOH

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the condition of the property and/or any improvements which may exist on said parent, as well as to any deficiency in any ex sale procedure conducted by any taxing authority as to this pareci.

The preparer of this instrument, as well as Grantor, assumes no liability for the state of the title or any insecuracy of the legal description.

Witness out algusture, this the 14th day of January, 2002.

U.S. PUBLIC FINANCE. A DELAWARE CORPORATION, AS SUCCESSOR TRUSTEE FOR ADVANTAGE 99B, A DELAWARE TRUST A/K/A ADVANTAGE 99B

STATE OF FLORIDA COUNTY OF DRANGE

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 14th day of January, 2002, within my jurisdiction, the within named, Douglas O. Oale, who acknowledged that he is, Vice President of U.S. PUBLIC FINANCE. A DELAWARE CORPORATION, AS SUCCESSOR TRUSTEE FOR ADVANTAGE 998, A DELAWARE TRUST ARIA ADVANTAGE 998, and that for said on bobalf of the said company, and as its not and decod he executed and delivered the above and thregoing instrument, after first having been authorized so to do.

My Commission Expires:

STATE HS -DESOTO CO

Horney J 77 Nament

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WE. DAVIE CH, CLK.

Grantor:
U.S. PUBLIC FINANCE, A DELAWARE
CORPORATION, AS SUCCESSOR TRUSTEE FOR
ADVANTAGE 99B, A DELAWARE TRUST AX/A
ADVANTAGE 99B
1101 North Lake Destiny Rd. Stc. 225
Melitland, FL 32751
(407) 875-0075
Internal Property Reference # 2617

Granten's Address:
Mississippi Realty Tax Pinancing Company, LLC
Fost Office Drawer 527
Bilaxi,MS 39533-0527
220-436-6026

TITLE NOT EXAMINED - NO SURVEY PROVIDED

INDEXING INSTRUCTIONS:

PT 5W 1/4 SW 1/4 4.00 ACRES, S/T/R: 20/1/7

Prepared (Willhout Title Opinion) By: U.S. PUBLIC FINANCE, A DELAWARE COPPORATION, AS SUCCESSOR TRUSTEE FOR ADVANTAGE 868, A DELAWARE TRUST AND ADVANTAGE 868, I 101 North Lake Disting Rd. Stc. 225, Mainland, FL 32751 (401) 875-0815

\$624298161

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PANOLA TITLE JAY JOH

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CHANCERY CLERK'S CONVEYANCE LAND SOLD FOR TAXES

(Chapter 27-43 Code of 1972)

STATE OF MISSISSIPPI COUNTY OF DESOTO

Be it known that Josy Treadway, Tax Collector of said County of Desoto, did, on the 30th day of August, A.D., 1999 according to law, sell the following described and situated in said county and assessed to MARY JONES

to wit:			
DRSCRUPTION OF LAND: PT SW 1/4 SW1/4 4.00 ACRES	9cc 20	179/7	RANGE 7
PARCEL NUMBER: 1074-2000.0-00042.00	<u>.l</u>	1	
			1

FOR THE TAXES ASSESSED THEREON for the your A.D. 1998, when ADVANTAGE 99 B became the best bidder therefore, at and for the sum of THREE HUNDRED EIGHT AND 1919 Deliars \$308.40 and the same not having been redeemed, I, therefore sell and convey said above described land to the said ADVANTAGE 99 B.

Given undertog hand and official seal of office, this the 14" day of Saptember, 2001.

W. B. Davis, Chancery Clerk

والمناز والمنا		
COSTS TO BE PAID BY PURCHASER UPON DELIVERY C	F CONV	EYANCE
Recording any souvoyance (Socilor 25-1-9)	\$7.00	\$7,00 \$
DUE TO COUNTY		\$3.74
County actual portage (ce (Section 27-43-3)		\$1.00
Publisher's setual fee paid by county (Section 27-43-3).		318.74
DUE TO CHANCERY CLERK		
Identify record owners (Section 27-43-3)	\$20.00	\$20.00
Recording list, each subdivision (Section 25-7-21(4)(8))	\$1.00	DO.12
laure sheriff's notice (Section 27-43-3)	\$2.00	\$2.00
Mail 1" owner's notice (Section 27-43-1)	\$1.00	\$1.00
Mail 2" owner's notice (Section 27-43-3)	\$2,50	\$
Lique each liener notice (Semion 27-43-11)	\$7.00	\$7.00
Rosarding anch redemption (Section 25-7-21(4)(d))	\$6,00	\$6.00
Abstracting each subdivision (Section 25-7-2)(4)(a))	\$1,00	\$1.00
Canify amount to redeem (Section 25-7-9(1)(a))	\$1,00	81.00
Certify interest from sole (Section 25-7-9(1)(a))	90.12	\$1.00
TOTAL AMOUNT DUE TO CHANCERY CLERK.		\$47.00
GRAND TOTAL DUE		\$58.74

STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared bafore me, the undersigned authority of law in and for the county and state aforesaid, the within named W. B. Davis, Chancery Clerk in and for said county and state, who acknowledged that he signed and delivered the foregoing instrument on the day and year therein mentioned.

Given under my hand and official scal of office at my office at Hernando, Misslesippi, this the 1414 day of September 2001.

STATE NE .- DESOTA DO . OF

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W.E. 3. CUK.

M BK 416 PG 264

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

AMERICAN PUBLIC FINANCE, INC.

PLAINTIFF

VS.

CIVIL ACTION NO: 06-01-0127

DEFENDANTS

MARY JONES AND MISSISSIPPI ATTORNEY GENERAL AND DESOTO COUNTY MISSISSIPPI AND DESOTO COUNTY DISTRICT ATTORNEY AND ANY AND ALL PERSONS CLAIMING INTEREST IN THAT CERTAIN REAL PROPERTY BEING DESCRIBED AS PT SW 1/4 SW 1/4 4.00 ACRES, S/T/R: 20/1/7, PARCEL NO. 1074-2000.0-00042.00 DESOTO COUNTY, MISSISSIPPI

AGREED ORDER

On this day there came before the Court this Order in which the County of Desoto hereby acknowledges that it claims no interest in the above and foregoing property which is the subject property of this cause of action. This Court, having found that the parties have reached an agreement, hereby finds that Desoto County relinquishes all interest in that certain real property being described as PT SW 1/4 SW 1/4 4.00 Acres, S/T/R: 20/1/7, Desoto County, Mississippi, Parcel No. 1074-2000.0-00042.00. As such, Desoto County is no longer a necessary defendant to this cause of action.

So ordered this the day of Julia 2006.

PERIZLOUX & ASSOCIATES, P.A.

James E. Renfroe MSB 10096

648 Lakeland East Drive, Suite A

JUN 0 5 2006

N E DAVIS, CLERK

M BK 416 PG 265

Flowood, MS 39232

Agreed to as to form and content:

Monthony Nowak, MSB 10528

Attorney for Desoto County, Mississippi

PO Box 567

Hernando, MS 38632

662-429-7888

